GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – PR&RD Department – Allegations for not conducting QC inspection properly and proposed "NIL" recovery in inferior and rejected (30) works "construction of CC road works in Vatsavai, Penuganchiprolu & Chandarlapadu Mandals of Krishna District" – Disciplinary proceedings against Sri P.Tulaseswara Rao, formerly Deputy Executive Engineer(PR) Vigilance and Quality Control Sub-division, Vijayawada (now retired) under Rule 20 of APCS (CC&A) Rules, 1991 r/w Rule-9 of APRPR 1980 – Articles of Charge – Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (VIG.I) DEPARTMENT

G.O.Rt.No. 302 **Dated:02.04.2024.**

Read the following:

1. G.O.Ms.No.33, PR&RD (Vig.I) Department, Dated: 02/04/2024
2. G.O.Rt.No.295, PR&RD (Vig.I) Department, Dated:02/04/2024

ORDER:-

In pursuance of the sanction accorded in the reference 1st read above, under sub-clause (i) of clause (b) of sub-rule (2) of Rule 9 of the Revised Pension Rules, 1980 for instituting departmental proceedings against Sri P.Tulaseswara Rao, formerly Deputy Executive Engineer(PR) Vigilance and Quality Control Sub-division, Vijayawada (now retired), it is proposed to hold an enquiry in accordance with the procedure laid down in Rule 20 of the A.P. Civil Services [Classification, Control and Appeal], 1991.

2. The substance of the imputations of misconduct or mis-behaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of article of charge (Annexure-I). A statement of the imputations of misconduct or misbehavior in support of the article of charge is enclosed [Annexure-II]. A list of documents by which, and a list of witnesses by whom, the articles of charge are proposed to be sustained are also enclosed [Annexure III & IV]. Copies of documents are furnished herewith.

3. Sri P.Tulaseswara Rao, formerly Deputy Executive Engineer(PR) Vigilance and Quality Control Sub-division, Vijayawada (now retired) is directed to submit written statement of defence within (10) days of the receipt of this order.

4. Sri P.Tulaseswara Rao, formerly Deputy Executive Engineer(PR) Vigilance and Quality Control Sub-division, Vijayawada (now retired) is informed that an enquiry will be held only in respect of those articles of charge, which are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri P.Tulaseswara Rao, formerly Deputy Executive Engineer(PR) Vigilance and Quality Control Sub-division, Vijayawada (now retired) is further informed that if he does not submit his written statement of defence on or before the date specified in Para-3 above, or does not appear in person before the inquiring authority or otherwise fails or refuses to comply with the provisions of Rule 20 of the A.P.C.S. [CC&A] Rules, 1991, or the orders/directions issued in pursuance of the said rules, the inquiring authority may hold the inquiry against him exparte.

(P.T.O)

6. The receipt of this G.O. may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SHASHI BHUSHAN KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri P.Tulaseswara Rao, formerly Deputy Executive Engineer(PR) Vigilance and Quality Control Sub-division, Vijayawada (now retired) **through** the Engineer-in-Chief,Panchayat Raj, AP, Vijayawada.
The Engineer-in-Chief, Panchayat Raj, AP, Vijayawada (with a request to serve the same on the C.O. and furnish the acknowledgment copy)
SF/SC.

//FORWARDED::BY::ORDER//

SECTION OFFICER

ANNEXURE-I

STATEMENT SHOWING THE DRAFT ARTICLES OF CHARGE FRAMED GAINST SRI P.TULASESWARA RAO, FORMERLY DEPUTY EXECUTIVE ENGINEER(PR) VIGILANCE AND QUALITY CONTROL SUBDIVISION, VIJAYAWADA (NOW RETIRED)

Charge-I:

That Sri P. Tulaseswara Rao, while working as DEE (PR) V&QC, SD, Vijayawada (now retired) along with AEE, V&QC Sub-Division, Vijayawada has not conducted QC inspection properly and proposed "NIL" recovery in inferior and rejected of (4) works "Construction of CC roads in Vatsavai Mandal, Krishna District" and proposed no recovery. Whereas, 2nd QC team has attended the above works on 28.05.2020 and conducted inspection and proposed for recovery of Rs.23.39 lakhs in the said works and thereby caused loss to the Government exchequer. Thereby unnecessary legal complications have arisen and huge embarrassment was created in dealing with legal issues before the Hon'ble High Court of AP in **Contempt Case No.1286/2022 in WPNo.21922/2021** filed by Sri Chintala Venkaat Sitaramaiah R/o Penuganchiprolu, Krishna District & Kanakapudi Bhaskar Rao, R/o Penuganchiprolu, Krishna District.

Charge-II:

"For not conducting QC inspection properly and proposed "NIL" recovery in inferior and rejected of (2) works "Construction of internal CC roads in Anigandlapadu GP & Muchinthala GP of Penuganchiprolu (M), Krishna District" and 1st QC team proposed no recovery. Whereas, 2nd QC team has attended the above works on 20.05.2020 and conducted inspection and proposed for recovery of Rs.43.94 lakhs in the said works and thereby caused loss to the Government exchequer. Thereby unnecessary legal complications have been arisen and huge embarrassment was created in dealing with legal issues before the Hon'ble High Court of AP in Contempt Case No.1284/2022 in WPNo.21066/2021 filed by Sri M. Siva Rama Krishna Murthy, Contractor R/o Lingagudem (v) Penuganchiprolu, Krishna District

Charge-III:

"For not conducting QC inspection properly and proposed "NIL" recovery in inferior and rejected of the work "Laying of CC roads and drains in BC Locality of Nawabpet GP of Penuganchiprolu (M), Krishna District" and 1st QC team proposed no recovery. Whereas, 2nd QC team has attended the above works on 16.05.2020 and conducted inspection and proposed for recovery of Rs.40.02 lakhs in the said works and thereby caused loss to the Government exchequer. Thereby unnecessary legal complications have been arisen and huge embarrassment before the Hon'ble High Court of AP in Contempt Case No.1296/2022 in WPNo.21072/2021 filed by Sri Veldi Appa Rao R/o Subbaiahgudem (v), Penuganchiprolue, Krishna District.

Charge-IV:

"For not conducting QC inspection properly and proposed "NILL" recovery in inferior and rejected of (9) works "Construction of CC roads from Konagi Koteswara Rao house to Nukala Venkata Rao house, Turlapati Hanumantharao house to Polla Mahalakshmi house, Popuri Chandraiah house to Thotla

(Continued on Page.4)

Guravaiah house, SK Madharabe house to Sk Bademiya house in Trulapadu village of Chandrlapadu (M), Krishna District and other (8) works in Turlapadu Village, Krishna District" and 1st QC team proposed no recovery. Whereas, 2nd QC team has attended the above works on19.05.2020 and conducted inspection and proposed for recovery of Rs.65.89 lakhs in the said works and thereby caused loss to the Government exchequer. Thereby unnecessary legal complications have been arisen and huge embarrassment before the Hon'ble High Court of AP in Contempt Case No.1285/2022 in WPNo.21236/2021 filed by Sri Dasara Venkateswara Rao.

Charge-V:

"For not conducting QC inspection properly and proposed "NIL" recovery in inferior and rejected of (4) works "Construction of CC roads in Bobbellapadu Village of Chandarlapadu (M), Krishna District and two other villages in Chandarlapadu (M), Krishna District" and 1st QC team proposed no recovery. Whereas, 2nd QC team has attended the above works on 19.05.2020 and conducted inspection and proposed for recovery of Rs.36.55 lakhs in the said works and thereby caused loss to the Government exchequer. Thereby unnecessary legal complications have been arisen and huge embarrassment before the Hon'ble High Court of AP in Contempt Case No.1282/2022 in WPNo.25692/2021 filed by Sri Guthikonda Sri Rama Murthy of Krishna District.

Charge-VI:

"For not conducting QC inspection properly and proposed "NIL" recovery in inferior and rejected of the work "Construction of CC roads and drains in BC Colony of Makkapeta GP of Vatsavai (M) Krishna District " and 1st QC team proposed no recovery. Whereas, 2nd QC team has attended the above works on 20.05.2020 and conducted inspection and proposed for recovery of Rs.48.95 lakhs in the said works and thereby caused loss to the Government exchequer. Thereby unnecessary legal complications have been arisen and huge embarrassment before the Hon'ble High Court of AP in Contempt Case No.1297/2022 in WPNo.21148/2021 filed by Sri Madineni Venkata Rao R/o Vatsavai Mandal, Krishna District.

Charge-VII:

"For not conducting QC inspection properly and proposed "NIL" recovery in inferior and rejected of (7) works "Construction of CC road & R&B Road to Vaniparthi Venkateswara Rao house in Gudimetla (v) Chandarlapadu (M) Krishna District" and 1st QC team proposed no recovery. Whereas, 2nd QC team has attended the above works on 20.05.2020 and conducted inspection and proposed for recovery of Rs.34.21 lakhs in the said works and thereby caused loss to the Government exchequer. Thereby unnecessary legal complications have been arisen and huge embarrassment before the Hon'ble High Court of AP in Contempt Case No.1295/2022 in WPNo.26041/2021 filed by Sri Pulla China Venkaiaha, Krishna District.

Charge-VIII:

"For not conducting QC inspection properly and proposed "NIL" recovery in inferior and rejected of (2) works "Laying of CC Roads and drains in Konakanchi Village, Penuganchiprolu Mandal, Krishna District" and 1st QC team proposed no recovery. Whereas, 2nd QC team has attended the above

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works on 21.05.2020 and conducted inspection and proposed for recovery of Rs.24.74 lakhs in the said works and thereby caused loss to the Government exchequer. Thereby unnecessary legal complications have been arisen and huge embarrassment before the Hon'ble High Court of AP in Contempt Case No.1316/2022 in WPNo.21563/2021 filed by Sri Ganne Nagabushanam.

Thus, Sri P. Tulaseswara Rao, while working as Deputy Executive Engineer(PR) Vigilance and Quality Control Sub-division, Vijayawada **(now retd.)** failed to discharge his legitimate duties and gross negligence in attending his duties and acted in contravention of Rule 3 of APCS(Conduct) Rules 1964.

SHASHI BHUSHAN KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED::BY::ORDER//

SECTION OFFICER

ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT AND MISBEHAVIOUR IN SUPPORT OF DRAFT ARTICLES OF CHARGE FRAMED AGAINST SRI P.TULASESWARA RAO, FORMERLY DEPUTY EXECUTIVE ENGINEER(PR) VIGILANCE AND QUALITY CONTROL SUBDIVISION, VIJAYAWADA (NOW RETIRED)

BASIS:

Whereas, as per Quality Control norms and procedure, the 1st Quality Control Inspections were conducted in the year 2018 in respect of (30) works in Vatsavai, Penuganchiprolu and Chandrlapadu Mandals of Krishna District. At that time, Sri P. Tulaseswara Rao, working as DEE (PR) V&QC, SD, Vijayawada (now retired) along with AEE, V&QC inspected and not conducted QC inspection properly and proposed "NIL" recovery in inferior and rejected (30) works. Subsequently, as per the orders, 2nd QC Inspection team has attended the above (30) works and conducted inspections on 28.05.2020, 20.5.2020, 16.5.2020, 19.5.2020, 19.5.2020, 20.5.2020, 20.5.2020 & 21.5.2020 respectively in all (30) works and proposed for recovery of total an amount of Rs.317.69 lakhs for the above (30) works. Thus, it is evident that the 1st QC Inspections were not properly conducted and his slackness and negligence in discharging his duties in inferior and rejected works and thereby caused loss to the Government exchequer. He should have taken proper care, but he failed to discharge his legitimate duties. Thereby unnecessary complications and legal issues have arisen and huge embarrassment was created in dealing with legal issues before the Hon'ble High Court of Andhra Pradesh.

(Continued on Page.6)

Thus, the Government Servant, Sri P. Tulaseswara Rao, while working as DEE (PR) V&QC, SD, Vijayawada (now retired) failed to discharge his legitimate duties and shown gross negligence. Thus by the above mentioned acts, he failed to maintain absolute integrity, devotion to the duty and conduct unbecoming of a Government Servant and there by contravened the Rule 3(1) & 3(2) of APCS(Conduct)Rules 1964.

Hence, the charges.

SHASHI BHUSHAN KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED::BY::ORDER//

SECTION OFFICER

ANNEXURE-III

LIST OF DOCUMENTS BY WHICH THE DRAFT ARTICLE OF CHARGE FRAMED AGAINST SRI P.TULASESWARA RAO, FORMERLY DEPUTY EXECUTIVE ENGINEER(PR) VIGILANCE AND QUALITY CONTROL SUBDIVISION, VIJAYAWADA (NOW RETIRED) ARE PROPOSED TO BE SUSTAINED

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(1) First QC Inspection Team dated 02.12.2018 & 10.12.2018 (for 4 works) in WPNo.21922/2021 in CCNo.1286/2022.
(2)First QC Inspection Report dated:02.12.2018 & 10.12.2018 (for 2works) in WPNo.21066/2021 CCNo.1284/22.
(3)First QC Inspection Report dated:08.12.2019 (for 1 works) in WPNo.21072/2011 CCNo.1296/22.
(4)First QC Inspection Report dated:22.02.2018 (for 9 works) in WPNo.21236 /2021 CCNo.1285/22.
(5)First QC Inspection Report dated:10.12.2018 & 02.12.2018(for 4 works) in W.P.No.25692/2021 CCNo.1282/22.
(6)First QC Inspection Report dated:17.11.2018 (1 work) in WPNo.21148/ 2021 CCNo.1297/22.
(7)First QC Inspection Report dated 10.12.2018 & 02.12.2018 (7 works) in WPNo.26041/2021 CCNo.1295/22.
(8)First QC Inspection Report dated:27.02.2019 (2 works) in WPNo.21563/ 2021 CCNo.1316/22.
(9). Second QC Inspection Team in (8) Reports dated 28.05.2020, 20.5.2020, 16.5.2020, 19.5.2020, 19.5.2020, 20.5.2020, 20.5.2020 & 21.5.2020 respectively in all (30) works.

(Continued on Page.7)

(10) Govt. Memo No.1770122/PRR01-PRE/30/2022-Vig.I-1, dt.11.08.2023 of PR&RD (V.I) Dept & other Govt. Memos.
(11) Letter No. Typist/AB/2023, dt.19.02.2024 of Executive Engineer (PR) V&QC Division, Vijayawada

SHASHI BHUSHAN KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED::BY::ORDER//

SECTION OFFICER

ANNEXURE-IV

LIST OF WITNESSES BY WHOM THE DRAFT ARTICLES OF CHARGE FRAMED AGAINST SRI P.TULASESWARA RAO, FORMERLY DEPUTY EXECUTIVE ENGINEER(PR) VIGILANCE AND QUALITY CONTROL SUB-DIVISION, VIJAYAWADA (NOW RETIRED) ARE PROPOSED TO BE SUSTAINED

- NIL –

SHASHI BHUSHAN KUMAR I A S
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED::BY::ORDER//

SECTION OFFICER